



PAUL HIGA
Chief Probation Officer

COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242
(562) 940-2501



July 15, 2005

TO: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: Paul Higa 
Chief Probation Officer

SUBJECT: **DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT -- SECOND
QUARTERLY COMPLIANCE PROGRESS REPORT**

On November 23, 2004, the Board instructed the Chief Probation Officer to work with the County Counsel, the Directors of the Departments of Health Services (DHS) and Mental Health (DMH), the Superintendent of the Los Angeles County Office of Education (LACOE), and any other impacted County department or agency, to submit quarterly status reports to the Board on corrective action implementation of services provided to minors at the three juvenile halls, pursuant to the settlement agreement with the Department of Justice (DOJ).

In addition, on December 14, 2004, the Board directed the Auditor-Controller to oversee the Multi-Agency Juvenile Hall Quality Assurance Team (QA Team) responsible for monitoring the County's progress in implementing the corrective action. Substantial compliance with each settlement agreement provision for 12 consecutive months is necessary to fully satisfy that portion of the agreement.

Implementation Progress

This Second Quarterly Compliance Progress Report primarily provides: 1) the current implementation status of each settlement agreement provision; 2) confirmation that the DOJ Monitors have begun monitoring for substantial compliance for 5 out of the 48 settlement agreement provisions requiring monitoring; and 3) an indication that 9 additional provisions will be requested for formal monitoring by August 31, 2005.

In addition, as indicated in our Initial Quarterly Progress Report of March 23, 2005, and consistent with the DOJ Monitors' First Semi-Annual Monitoring Report of May 5, 2005, the County and LACOE have met the conditions of the first Monitors' reporting period by

submitting 1) draft Action Plans; 2) newly developed and/or revised policies and procedures; and 3) audit/measurement tools used to determine compliance levels to the DOJ, as required.

During this reporting period, each of the agencies engaged in significant ongoing dialogue with the Monitors, obtained as-needed technical assistance, and continued to implement necessary changes in accordance with the settlement agreement.

DOJ Monitors' Juvenile Halls Visits & Approval of County & LACOE Action Plans

During June, the Monitors conducted their second formal monitoring visit of the three juvenile halls, and assessed the status of various settlement agreement provisions. Some key areas of improvement or concern noted by the Monitors are reflected on Attachment I. In addition, some of the Monitors, as required, are visiting the juvenile halls this week for their third formal monitoring, while other Monitors are scheduled to visit in August.

On June 29, 2005, the DOJ formally accepted the County's and LACOE's Action Plans, and is in the process of evaluating previously submitted policies and procedures and audit/measurement tools. Pursuant to an agreement between counsel for the County, LACOE, and the DOJ, formal acceptance of the Action Plans allows: 1) the County and LACOE to request identified settlement agreement provisions be assessed for readiness for formalized compliance monitoring; and 2) any Monitor to declare certain provisions ready for formalized monitoring and initiate substantial compliance monitoring. As indicated below, this process has begun.

Settlement Agreement Provisions – Formalized Monitoring Status

Attachment II provides a matrix reflecting the settlement agreement provisions, designated agencies individually or jointly responsible for implementing the provisions, implementation status, and a summary of the agencies' progress. Thus far, the Monitors have declared 5 provisions of the settlement agreement ready for formalized monitoring. These provisions are stipulated by paragraphs #36, Youth Movement Between Halls; #51, Security, and #53, Food Safety, effective June 1, 2005; and paragraphs #39, Youth with Special Needs, and #42, Confidentiality; effective July 1, 2005.

Out of the 48 operational provisions requiring formalized monitoring, 20 (41.7%), including the 5 referenced above, have been implemented (i.e., action taken and the provision is ready for consideration for formalized monitoring); 21 (43.7%) are pending implementation (i.e., action taken and the provision is very close for formalized monitoring); and 7 (14.6%) have not yet been implemented (i.e., although some action has been taken, the provision is not ready to proceed onto formalized monitoring). We will continue to identify settlement agreement provisions to be assessed for readiness for formalized compliance monitoring.

Auditor-Controller Oversight of the Quality Assurance Team

Paragraph 56 of the Settlement Agreement requires the County and LACOE to institute a quality assurance system to ensure implementation of the provisions addressed in the Agreement. The QA Team, under the supervision of the Auditor-Controller, conducted monthly compliance monitoring reviews at the three juvenile halls. The results of those reviews were shared with Probation, DHS, and DMH managers, as well as with the DOJ Monitors. Consequently, actions have been taken as indicated in the progress summary of the matrix. The QA Team also revised the monitoring tools, as necessary.

During the quarter, a number of DOJ monitors have expressed their satisfaction in the efforts of the QA Team to accurately monitor the County progress and to maintain a level of independence.

As the lead agency, Probation will continue working with DHS, DMH, and LACOE to implement the necessary changes to achieve compliance with the settlement agreement. Our Third Quarterly Compliance Progress Report, covering July thru September, will be submitted to the Board in October, 2005, and will include: 1) a status of the policies, procedures and audit tools proffered to the DOJ for review and approval; 2) a follow-up on the DOJ Monitors' Second Semi-Annual Monitoring Report anticipated to be issued in mid-September, 2005; 3) a summary of the QA Team activity; and 4) an updated progress matrix on the status of the provisions. County Counsel, DHS, DMH, LACOE, and the Auditor-Controller concur with this report.

If you have any questions, please call me at (562) 940-2501, or your staff may contact Shirley Alexander, Chief, Detention Services Bureau at (562) 940-2503.

PH:SA
RB:bd

Attachments (2)

cc: Violet Varona-Lukens, Executive Officer, Board of Supervisors
David E. Janssen, Chief Administrative Officer
Raymond G. Fortner, Jr., County Counsel
J. Tyler McCauley, Auditor-Controller
Dr. Thomas Garthwaite, Director, Department of Health Services
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Dr. Marvin J. Southard, Director, Department of Mental Health
Michael Graham, Lead Settlement Agreement Compliance Monitor